

## § 143.5

## 32 CFR Ch. I (7–1–03 Edition)

(i) Negotiate or bargain with any person concerning the terms or conditions of service of any member of the armed forces,

(ii) Recognize any military labor organization as a representative of individual members of the armed forces in connection with any complaint or grievance of any such member arising out of the terms or conditions of service of such member in the armed forces, or

(iii) Make any change with respect to the terms or conditions of service in the armed forces of individual members of the armed forces.

(2) No person may use any military installation for any meeting, march, picketing, demonstration, or other similar activity for the purpose of engaging in any activity prohibited by this Directive.

(3) No member of the armed forces, and no civilian officer or employee, may permit or authorize the use of any military installation for any meeting, march, picketing demonstration, or other similar activity which is for the purpose of engaging in any activity prohibited by this Directive.

(d) *Representation.* A military labor organization may not represent, or attempt to represent, any member of the armed forces before any civilian officer or employee, or any member of the armed forces, in connection with any grievance or complaint of any such member arising out of the terms or conditions of service of such member in the armed forces.

### § 143.5 Activity not covered by this part.

(a) This part does not limit the right of any member of the armed forces to:

(1) Join or maintain membership in any lawful organization or association not constituting a “military labor organization” as defined in § 143.7.

(2) Present complaints or grievances concerning the terms or conditions of the service of such member in the armed forces in accordance with established military procedures;

(3) Seek or receive information or counseling from any source;

(4) Be represented by counsel in any legal or quasi-legal proceeding, in ac-

cordance with applicable laws and regulations;

(5) Petition the Congress for redress of grievances; or

(6) Take such other administrative action to seek such administrative or judicial relief, as is authorized by applicable law and regulations.

(b) This part does not prevent commanders or supervisors from giving consideration to the views of any member of the armed forces presented individually or as a result of participation on command-sponsored or authorized advisory council, committees, or organizations.

(c) This part does not prevent any civilian employed at a military installation from joining or being a member of an organization that engages in representational activities with respect to terms or conditions of civilian employment.

### § 143.6 Responsibility.

(a) *Heads of DoD Components* shall:

(1) Ensure compliance with this part and with the guidelines contained in enclosure 1.

(2) Establish procedures to ensure that any action initiated under this part is reported immediately to the Head of the DoD Component concerned.

(3) Report any action initiated under this part immediately to the Secretary of Defense.

(b) *The Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics)* shall serve as the administrative point of contact in the Office of the Secretary of Defense for all matters relating to this part.

### § 143.7 Definitions.

(a) *Member of the Armed Forces.* A member of the armed forces who is serving on active duty, or a member of a Reserve component while performing inactive duty training.

(b) *Military labor organization.* Any organization that engages in or attempts to engage in:

(1) Negotiating or bargaining with any civilian officer or employee, or with any member of the armed forces, on behalf of members of the armed forces, concerning the terms or conditions of military service of such members in the armed forces;